



CITY OF SUNNYVALE REPORT Administrative Hearing

October 29, 2003

SUBJECT: **2003-0744** – Nicole Delbos **[Applicant]** Martin A. Kasik
[Owner]: _Application for a 22,030 square foot site located at
141 South Taaffe Street in a DSP-1 (Downtown Specific
Plan/Zoning District (APN: 209-07-007):

Motion Special Development Permit to allow jazzercise classes
within an existing commercial building.

REPORT IN BRIEF

Existing Site Vacant Tenant Space within an Existing Commercial
Conditions Building

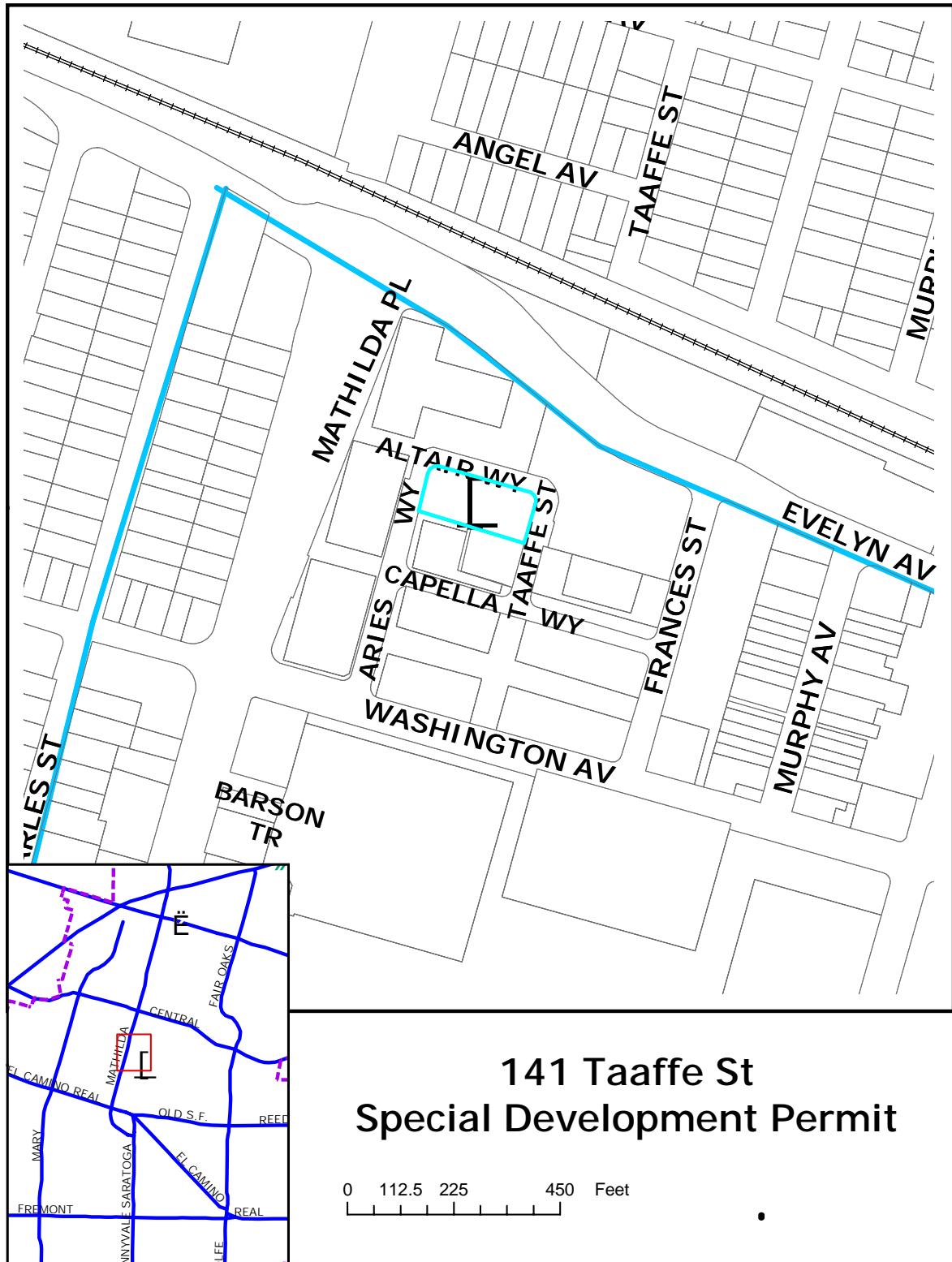
Surrounding Land Uses

North	Mozart Office Buildings & City Plaza/Underground Parking
South	Post Office
East	City Plaza/Underground Parking
West	Commercial/Residential

Issues Compatibility of Use

Environmental Class 1 Categorical Exemption relieves this project
Status from California Environmental Quality Act provisions
and City Guidelines.

Staff Approve with conditions
Recommendation



PROJECT DATA TABLE

	<u>EXISTING</u>	<u>PROPOSED</u>	<u>REQUIRED/ PERMITTED</u>
General Plan	Commercial Central Business	Same	Same
Zoning District	DSP-1	Same	Same
Lot Size (s.f.)	22,030	Same	By Special Development Permit
Gross Floor Area (s.f.)	9,870	Same	by Special Development Permit
Tenant Space (s.f.)	5,500	Same	by Special Development Permit
Lot Coverage (%)	41%	Same	by Special Development Permit
Floor Area Ratio (FAR)	41%	Same	142% max.
No. of Buildings On-Site	1	1	---
Building Height (ft.)	20'	20'	125' max.
No. of Stories	1	1	9 max.
Setbacks (facing prop.)			
• Front (Taaffe St.)	10	Same	5 min.
• Left Side	0	Same	15 min.
• Right Side (Altair Way)	15	Same	5 min.
• Rear	0	Same	18 min.
Landscaping (sq. ft.)			
• Total Landscaping	0	Same	By Special Development Permit
Parking			
• Total No. of Spaces	N/A	N/A	Downtown Parking District

ANALYSIS

Background

Previous Actions on the Site: The following table summarizes previous planning applications related to the subject site.

File Number	Brief Description	Hearing/Decision	Date
2001-0214	Waiver of Screening for A/C unit on roof	Staff/Approved	4/27/01
1983-0244	Retail Flower Sales	Planning Commission/ Approved	1/25/83
1982-0213	Minor interior/exterior building modifications	Staff/Approved	1/11/82
1980-0163	Three separate lease spaces within old Post Office building	Planning Commission/ Approved	6/24/80

Description of Proposed Project

The application is for a change of use to allow a jazzercise business within an existing 5,500 s.f. vacant tenant space of a 9,870 s.f. building. Recreational uses require a Special Development Permit within Block 1 of the Downtown Specific Plan. The neighboring tenant space is currently utilized as a U.S. Post Office. The proposal may include minor interior modifications to the tenant space. No exterior modifications are proposed with this project. Minor maintenance and clean-up around the outside of the building will occur prior to the commencement of the proposed use.

Environmental Review

Staff conducted a review of potential environmental impacts for the project and determined that the project is categorically exempt from environmental review in accordance with the California Environmental Quality Act. Class 1 Categorical Exemptions include minor additions to existing facilities.

Special Development Permit

Use: The proposed use is for a jazzercise business. The business would operate seven days a week with the following hours of operation:

Monday thru Thursday: 5:30pm, 6:45pm

Friday: 6am, 4pm, 5:30pm
Saturday: 7am, 8am, 9am
Sunday: 7:30am, 8:30am

During the week, the maximum expected attendance to the site is 20-25 people plus 1 instructor. The attendance on the weekends would include 50 people plus 1 instructor. A one hour class would be offered during the hours listed above.

Site Layout/Floor Plan: The proposed office building has two tenant spaces. The neighboring space is currently used by the U.S. Postal Service. The interior of the building will be largely unaffected by the proposal. A stage area may be installed towards the front of the building. Existing bathrooms are located towards the rear of the building. Office and storage areas are also located near the back of the building. Reference Attachment #3 for more detail.

Architecture: There are no proposed changes to the existing architecture of the building. The multi-tenant building was constructed in 1969. Staff recommends Condition of Approval #6 that requires that the building façade must be kept and maintained in good condition.

Landscaping: The site currently has minimal landscaping. As a Condition of Approval, staff is recommending that additional vegetation be placed along the north side of the building (Altair Way frontage)

The following Guidelines were considered in analysis of the project landscaping.

Design Policy or Guideline (Landscape)	Comments
<i>A4. Properly landscape all areas not covered by structures, driveways, and parking.</i>	The project site lacks sufficient landscaping. Although the site has limited locations to improve landscaping, additional vegetation shall be planted along the north side of the building (C.O.A. #7).

Parking/Circulation: The project is located within the Downtown Parking District. No additional parking is required. Immediately north and east of the site is the City's underground parking structure.

Compliance with Development Standards

The proposed project meets all development standards for the Downtown Specific Plan Sub-District 1 Zoning District. There is no proposed increase to

the floor area or exterior changes to the site. The existing parking has the capacity to support the proposed use.

Downtown Specific Plan

The project site is located within the Downtown Specific Plan in the North of Washington District, Block 1. Block 1, in combination with the Murphy Avenue Heritage District constitutes the central place of the downtown. As stated previously, recreational uses are permitted in Block 1 with a Special Development Permit.

Expected Impact on the Surroundings

There are no expected impacts to the surrounding area. The use of indoor speakers should not cause a noticeable impact to nearby residential uses west of the site. The proposed use is subject to noise requirements outlined by Sunnyvale Municipal Code 19.42.030. (Condition of Approval #8)

Findings, General Plan Goals and Conditions of Approval

Staff was able to make the required Findings based on the justifications for the Rezone, Special Development Permit and Tentative Map.

- Findings and General Plan Goals are located in Attachment 1.
- Conditions of Approval are located in Attachment 2.

Fiscal Impact

No fiscal impacts other than normal fees and taxes are expected.

Public Contact

Notice of Public Hearing	Staff Report	Agenda
<ul style="list-style-type: none">• Published in the <i>Sun</i> newspaper• Posted on the site• Mailed to the adjacent property owners of the project site	<ul style="list-style-type: none">• Posted on the City of Sunnyvale's Website• Provided at the Reference Section of the City of Sunnyvale's Public Library	<ul style="list-style-type: none">• Posted on the City's official notice bulletin board• City of Sunnyvale's Website• Recorded for SunDial

Alternatives

1. Approve the Special Development Permit with conditions as recommended by staff.
2. Approve the Special Development Permit with modifications.
3. Deny the Special Development Permit.

Recommendation

Recommend Alternative 1.

Prepared by:

Ryan M. Kuchenig
Project Planner

Reviewed by:

Gerri Caruso
Principal Planner

Attachments:

1. Findings
2. Conditions of Approval
3. Site and Architectural Plans
4. Project Justifications from the Applicant
5. Site Photos
6. Letter from nearby business owner

Findings - Special Development Permit

1. The proposed use attains the objectives and purposes of the General Plan of the City of Sunnyvale.

Downtown Specific Plan

G.GEN-1- *To establish the downtown as the cultural, retail, financial, and entertainment center of the community, complemented by employment, housing and transit opportunities.*

The proposed business will provide a needed recreational use to the downtown area and additional job opportunities to the community. The project is situated in a major retail and employment center with access to nearby public transportation.

2. The proposed use ensures that the general appearance of proposed structures, or the uses to be made of the property to which the application refers, will not impair either the orderly development of, or the existing uses being made of, adjacent properties as the project does not modify the existing building or conditions on the site. The Downtown Parking District provides adequate parking for the proposed use.

Conditions of Approval - Special Development Permit

In addition to complying with all applicable City, County, State and Federal Statutes, Codes, Ordinances, Resolutions, the Permittee expressly accepts and agrees to comply with the following Conditions of Approval for this Permit.

1. The permit is for a jazzercise use only. Any minor expansion of use, modification to hours of operation, or addition to the use may be considered and approved by the Director of Community Development.
2. Obtain a business license from the City of Sunnyvale Revenue Division prior to commencement of use.
3. Obtain necessary building permits prior to any construction.
4. The Special Development Permit shall expire two years from the date of approval by the final review authority if not executed or if the use is discontinued for a period of one year or more.
5. The property shall remain clean and free of debris and garbage.
6. The building façade shall be maintained in good condition.
7. Additional landscaping shall be planted along the north side of the building.
8. The proposed use shall comply with the noise requirements outlined by Sunnyvale Municipal Code 19.42.030. No outdoor loudspeakers permitted.